

HON. TANA LIN

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

ELECTRONIC SCRIPTING PRODUCTS,  
INC.

Plaintiff,

v.

JONES SODA CO. and JONES SODA CO.  
(USA) INC.,

Defendants.

CASE NO. 23-cv-1344-TL

**STIPULATED MOTION TO EXTEND  
ALL CASE DEADLINES BY 14-DAYS  
AND ~~(PROPOSED)~~ ORDER**

NOTING DATE: December 11, 2023

**Stipulation**

Pursuant to LCR 7(d)(1), Plaintiff Electronic Scripting Products, Inc. ("Plaintiff") and Defendants Jones Soda Co. and Jones Soda Co. (USA) Inc. ("Defendants"), by and through their undersigned counsel of record, jointly stipulate and agree as follows:

1. Plaintiff filed the Complaint in this action on August 30, 2023;
2. Plaintiff served the Complaint on Defendants on September 20, 2023;
3. In accordance with Fed. R. Civ. P. 12(a)(1)(A), Defendants' response to the Complaint initially was due by October 11, 2023 (the "Answer Deadline");
4. On October 9, 2023, the Parties submitted their first Stipulated Motion for Extension of Time to Answer Complaint (Dkt. #10), which was granted by the Honorable Brian A. Tsuchida on October 10, 2023, extending the Answer Deadline to November 10, 2023.

STIPULATED MOTION AND ~~(PROPOSED)~~ ORDER - 1  
CASE NO. 23-cv-1344-TL

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1           5.       On November 10, 2023, the Parties submitted their second Stipulated Motion for  
2 Extension of Time to Answer Complaint (Dkt. #10), which was granted on November 14, 2023,  
3 extending the Answer Deadline to December 10, 2023.

4           6.       On October 17, 2023, the Court issued an Order Regarding Initial Disclosures and  
5 Joint Status Report for Patent Cases (Dkt. No. 15). Under this order, the initial disclosure deadline  
6 is November 28, 2023, and the Joint Status Report is due by December 12, 2023.

7           7.       On November 27, 2023, the Parties submitted a Stipulated Motion for an extension  
8 of time for the Initial Disclosures and Joint Status Report. The Court granted that motion,  
9 extending the deadline for the initial disclosure to December 12, 2023 and the Joint Status Report to  
10 December 26, 2023.

11          8.       The Parties have been engaged in settlement discussions and believe they likely are  
12 close to resolving this dispute. Accordingly, the Parties have agreed to a 14-day extension of all  
13 deadlines to allow them to focus their attention and resources on settlement. Specifically, the  
14 Parties have agreed to the following dates:

- 15                   •   Date to Respond to Complaint – December 24, 2023
- 16                   •   Deadline for Initial Disclosures – December 26, 2023
- 17                   •   Deadline for Joint Status Report – January 9, 2024

18          9.       No Party will be prejudiced by the above deadlines, and this motion is not made for  
19 the purpose of delay or any other improper purpose.

20           DATED this 11<sup>th</sup> day of December, 2023.

21  
22                               BANIE & ISHIMOTO LLP  
23                               Attorneys for Plaintiff Electronic Scripting  
24                               Products, Inc.

25                               By s/ John A. Lee  
26                               John A. Lee, WSBA #35550  
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By s/ Christopher T. Wion (per email  
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**(Proposed) Order**

IT IS SO ORDERED. All deadlines in this case are extended by 14 days.

DATED: December 11, 2023



U.S. DISTRICT COURT JUDGE  
TANA LIN